

REMARKS

In response to the Notice of Allowance mailed April 10, 2008, Applicants respectfully request entry of the above amendments under 37 CFR § 1.312. This amendment is being filed prior to payment of the issue fee. The amendments only cancel claims 39-43 and do not change the scope of allowed claim 23.

Such amendment is proper after Allowance as recited in MPEP § 714.16, a portion of which is reproduced below.

After the Notice of Allowance has been mailed, the application is technically no longer under the jurisdiction of the primary examiner. He or she can, however, make examiner's amendments (see MPEP § 1302.04
<http://www.uspto.gov/web/offices/pac/mpep/documents/1300_1302_04.htm>) and has authority to enter amendments submitted after Notice of Allowance of an application which embody merely the correction of formal matters in the specification or drawing, or formal matters in a claim without changing the scope thereof, **or the cancellation of claims from the application**, without forwarding to the supervisory patent examiner for approval (emphasis added).

CONCLUSION

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 09-0458.

Respectfully submitted,

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